

force. Support for this amendment is found in the Specification (page 14, line 31 to page 15, line 14). No new matter has been added.

New claim 47 has been added. Support for this claim is found in the Specification (page 16, lines 33-36; and page 20, lines 32-35). No new matter has been added.

Claim Objections

Claim 11 stands objected to as requiring correction of informalities. The Examiner contends that there is unnecessary repetitive language in the claim.

Claim 11 is directed to a garment wherein certain parts of the garment have an increased thickness and/or density. The claim describes two alternative groups of such parts: (1) the vicinities of the right and left edges, or (2) both the vicinities of the right and left edges and a vicinity along the longitudinal center line of the second crotch cloth piece. The second group includes additional elements that may have an increased thickness and/or density. Although the language is similar, it is not unnecessarily repetitive. Claim 11 has been amended to further clarify these two different groups of elements.

Likewise, claim 11 describes a garment having a straining force located in certain parts of the garment. Again, the claim describes two alternative groups which are: (1) the vicinities of and in directions along the right and left edges of the second crotch cloth piece or (2) both the vicinities of and in directions along the right and left edges of the second crotch cloth piece and a vicinity of and in a direction along the longitudinal center line of the second

crotch cloth piece. As explained above, this language is not unnecessarily repetitive. Claim 11 has been amended to further clarify these two different groups of elements. Therefore, this objection should be withdrawn.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 3, 4, 9-11, 17-20, 23, 24, 26, 27, 30, 31, 34, 35, 37, 38, 41, 42, 45, and 46 stand rejected under 35 U.S.C. § 112, second paragraph as indefinite. The Examiner submits that it is unclear how stretching the right and left edges of the second crotch cloth piece has a shorter length than a determined length.

This rejection is respectfully traversed, and reconsideration is requested.

According to base claims 3, 4, and 9, the right and left edges of the second crotch cloth piece have "a shorter length than a determined length." Additionally, claims 3, 4, and 9 describe how the second crotch cloth piece is mounted to the garment main body. Specifically, the second crotch cloth piece is mounted while its right and left edges are being stretched. This feature is supported by the Specification (page 11, lines 18-23). Thus, "a shorter length than a determined length" refers to the length of the right and left edges of the second crotch cloth piece prior to stretching and mounting. The claim has been amended solely to clarify the features of the claim. Thus, stretching the second crotch cloth piece does not result in a shorter length than a determined length. Rather, the claim language specifies that the initial length of the right and left edges is shorter than a determined length. Accordingly, this rejection should be withdrawn.

Rejections Under 35 U.S.C. § 102(b)

Claims 1, 2, 21, 22, 28, 29, 32-36, 39, 40, 43, and 44 stand rejected under 35 U.S.C. § 102(b) as anticipated by Shokai (Japanese Patent Publication No. JP 45(1970)-32398 Y). Shokai is cited as disclosing a garment with a main body, a stretchable crotch cloth piece, and a second stretchable crotch cloth piece wherein the second stretchable crotch cloth piece is mounted to the garment main body both at its front and rear edges and at least in one portion of its center line.

This rejection is respectfully traversed, and reconsideration is requested.

Shokai does not disclose the attachment of the second crotch cloth piece to the crotch cloth piece of the garment main body at any point along the center line. On the contrary, Shokai expressly teaches that, when the garment is worn, the second crotch cloth piece will rise above the crotch cloth piece of the garment main body (see Figures 2-5).

In contrast, independent base claims 1 and 2 have been amended to further clarify that the second crotch cloth piece is mounted to the crotch cloth piece of the garment main body in at least one portion of its center line. Thus, the second crotch cloth piece is mounted at both its front and rear edges and along its center line. Because Shokai does not disclose mounting of the second crotch cloth piece along the center line, this reference can not anticipate the present claims. Therefore, this rejection should be withdrawn.

Allowable Subject Matter

The Examiner is thanked for indicating that claim 25 would be allowable if rewritten in independent form. This claim remains in dependent form, however, because the rejection of independent base claim 2 has been overcome.

Conclusion

It is believed, for the foregoing reasons, that the claims warrant allowance, and such action is earnestly solicited.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

Docket No: 9643/OL338

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mayumi HASEGAWA; Naomi SHIBATA; Michiko AOKI;
Namiko TACHIIRI

Serial No.: 10/019,468

Art Unit: 3765

Confirmation No.: 4132

Filed: December 28, 2001

Examiner: Alissa L. Hoey

For: GARMENT WITH CROTCH PART

MARK UP TO ACCOMPANY RESPONSE TO OFFICE ACTION

1. (Amended) A garment with a crotch part used in contact with skin, comprising:

a garment main body comprising a stretchable crotch cloth piece; and

a second crotch cloth piece on which an absorbent article is to be applied and held, provided on an inner side of the crotch cloth piece of the garment main body,

wherein the second crotch cloth piece is mounted to the garment main body at its front and rear edges and further in a region other than the front and rear edges, the second crotch cloth piece is mounted to the crotch cloth piece of the garment main body at least in one portion of its center line, and

right and left edges of the second crotch cloth piece are not bonded to the garment main body and are in free state.

2. (Amended) A garment with a crotch part used in contact with skin, comprising:

a garment main body comprising a stretchable crotch cloth piece; and

a second crotch cloth piece on which an absorbent article is to be applied and held, provided on an inner side of the crotch cloth piece of the garment main body,

wherein the second crotch cloth piece is made of a knitted or woven fabric having stretchability at least in its longitudinal direction;

a straining force in vicinities of right and left edges of the second crotch cloth piece and a straining force in a region along a longitudinal center line of the second crotch cloth piece are increased;

the second crotch cloth piece is mounted to the garment main body at its front and rear edges and further in a region other than the front and rear edges,

the second crotch cloth piece is mounted to the crotch cloth piece of the garment main body at least in one portion of its center line, and

right and left edges of the second crotch cloth piece are not bonded to the garment main body and are in free state.

3. (Amended) The garment according to claim 2, wherein:

the right and left edges of the second crotch cloth piece have a length shorter than a determined length;

the second crotch cloth piece is mounted to the garment main body while stretching the right and left edges of the second crotch cloth piece [having a shorter length than a determined length]; and

a stretch tape is mounted on a back side of the second crotch cloth piece along the longitudinal center line.

4. (Amended) The garment according to claim 2, wherein:

the right and left edges of the second crotch cloth piece have a length shorter than a determined length;

the second crotch cloth piece is mounted to the garment main body at its front and rear edges while stretching right and left edges of the second crotch cloth piece [having a shorter length than a determined length]; and

the second crotch cloth piece is mounted to the crotch cloth piece of the garment main body in approximately full length of the longitudinal center line via a stretch tape on a back side of the second crotch cloth piece.

11. (Amended) The garment according to claim 9, wherein

a thickness and/or a knitted or woven density of an elastic fiber yarn in a knitted or woven fabric forming the second crotch cloth piece are increased either in vicinities of the right and left edges, or in vicinities of the right and left edges and in vicinity of the longitudinal center line of the second crotch cloth piece, and thereby

a straining force either in vicinities of and in directions along the right and left edges of the second crotch cloth piece, or [a straining force] in vicinities of and in directions along the right and left edges and [a straining force] in vicinity of and in a direction along the longitudinal center line of the second crotch cloth piece are increased further.

47. (New) The garment according to claim 1, wherein the second crotch cloth piece is mounted to the garment main body at its front and rear edges, and also is mounted to the crotch cloth piece of the garment main body along the full length of its center line.